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COCOM AGREEMENT ON DIVERSIONS

- (a) Governments will, in diversion cases, apply whatever possible methods of enforcement action that will most expeditiously prevent diversion.
- (b) Supplementary to any other type of normal unilateral or bilateral action by or between Governments through diplomatic or enforcement channels, participating countries may submit diversion cases to Delegates of the countries concerned for multilateral discussion and appropriate action by those countries.
- (c) In the case of a country wishing to submit a "live" case to the Delegations concerned, the following procedures are suggested:
 - (i) Discussions will take place between the interested Delegates or their designated representatives who may be customs or enforcement experts.
 - (ii) The extent to which details of a case, including names, should be presented is left to the discretion and approval of all the participating countries involved.
 - (iii) As a minimum, the country presenting the case should notify the Chairman of the Coordinating Committee that talks are being held by particular Delegates and as appropriate, identify the commodity and provide a general characterization of the case.
 - (iv) The Secretariat can, as requested, render secretarial assistance.
- (d) Diversion cases can also, at the discretion of the Participating Government or Governments concerned, be brought to the knowledge of the Committee either while the case is still in progress or after it has been closed.
 - (i) Governments are particularly invited to inform the Committee of cases illustrating loopholes in the enforcement system or other facts relevant to the Committee.
 - (ii) When informing the Committee, names of firms and persons need not normally be revealed and, in any case, names of residents or ships of other participating countries should not be revealed except with the accord of the Government in question.

Ref: COCOM Doc. 1634

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